



**CITY COUNCIL
MEETING MINUTES**

December 21, 2009 7:30 PM

I. CALL TO ORDER

A. Flag Salute

Mayor Peter B. Lewis called the meeting to order at 7:30 p.m. and led those in attendance in the Pledge of Allegiance.

B. Roll Call

The following Councilmembers were present: Rich Wagner, Sue Singer, Gene Cerino, Nancy Backus, Lynn Norman, Bill Pelosa, and Virginia Haugen

Staff present included: Information Services Director Lorrie Rempher; Police Chief Jim Kelly; Public Works Director Dennis Dowdy; Acting Director of Planning, Building and Community Kevin Snyder; City Attorney Daniel B. Heid; Parks, Arts and Recreation Director Daryl Faber; Human Resources and Risk/Property Management Director Brenda Heineman; Planner Angelique Moser, and Deputy City Clerk Cathy Richardson.

C. Announcements and Appointments

1. Announcements

a) Proclamation - "Gene Cerino Day"

Mayor Lewis read and presented a proclamation from Governor Christine Gregoire, a former student of Councilmember Cerino, declaring December 21, 2009 as "Gene Cerino Day" in the state of Washington.

Councilmember Backus, also a former student, read and presented a "report card" to Councilmember Cerino.

Councilmember Cerino thanked Governor Gregoire and Councilmember Backus for their kind remarks. Councilmember Cerino expressed his love for the City of Auburn and promised to continue to be involved in the Auburn community.

2. Appointments

There was no appointment for Council consideration.

D. Agenda Modifications

Agenda modifications included transmittal of revised Schedule "A" to Ordinance No. 6278 and revised Ordinance No. 6283.

II. CITIZEN INPUT, PUBLIC HEARINGS & CORRESPONDENCE

A. Public Hearings

1. Franchise Agreement

O4.1.4, A3.14

City Council to conduct a public hearing on Addendum IV to the non-exclusive franchise agreement between the City of Auburn and Comcast of Washington IV to construct, maintain, and operate a cable television system for the distribution of television and other electronic signals within the city of Auburn. The purpose of the public hearing is to determine public benefit and impact, applicant compliance, public right-of-way capacity to accommodate the utility, potential disruption of public right-of way, and present and future use of the public right-of-way.

At 7:40, Mayor Lewis opened the public hearing. There being no one present who requested to speak, the hearing was closed.

B. Audience Participation

This is the place on the agenda where the public is invited to speak to the City Council on any issue. Those wishing to speak are reminded to sign in on the form provided.

No one in the audience requested to speak.

C. Correspondence

There was no correspondence for Council review.

III. COUNCIL COMMITTEE REPORTS

A3.7.6

A. Municipal Services

Chair Cerino reported that the Municipal Services Committee met on December 14, 2009 at 4:00 p.m. The Committee approved the consent agenda, Ordinance No. 6284, Resolution Nos. 4530 and 4531, and contract administration for Project No. CP0910. The Committee also discussed Ordinance Nos. 6278 and 6285, Resolution Nos. 4547 and 4552, and a proposed property transfer between the City of Auburn and Green River Community College, and reviewed the Committee matrix. The next regular meeting of the Municipal Services Committee is scheduled for January 11, 2010 at 4:00 p.m.

B. Planning & Community Development

Chair Norman reported that the Planning and Community Development Committee met on December 14, 2009 at 5:00 p.m. The Committee modified the agenda by removing Resolution No. 4546, Ordinance 6243, and the Art in Public Places Policy. The Committee received notification of a grant award in the amount of \$304,000 for Fenster Levy Setback project. The Committee approved the consent agenda and received a report on contractual services provided to the City of Auburn by the Auburn Area Chamber of Commerce. The Committee also discussed Ordinance Nos. 6278 and 6285, received an update on Green River flood preparations, and discussed a proposed property transfer between the City of Auburn and Green River Community College, Ordinance No. 6283, Resolution No. 4552, and greenhouse gas inventory status. The Committee approved Ordinance No. 6279 and 6282, and Open Space Assessment Policies. The next meeting of the Planning and Community Development Committee is scheduled for January 11, 2010 at 5:00 p.m.

C. Public Works

Chair Wagner reported that the Public Works Committee met this afternoon at 3:00. The Committee approved changes to the Transportation and Engineering Design Standards and contract administration for Project No. CP0918, 2009 Arterial Collector Crack Seal Project. The Committee also discussed Ordinance No. 6283, a community shuttle partnership between the City of Auburn and Metro, finalization of utility rate adjustments, parking on planting strips, and a request for relinquishment of a water right-of-way in the Lea Hill area, and received a report on Green River flood preparedness. Chair Wagner reported that he presented a Power

Point presentation to the Committee on a project by Washington State University (WSU) students who received informational assistance from City staff. The project was related to construction options for environmentally friendly streets in areas such as the Auburn Environmental Park and was at no cost to the City of Auburn. The next regular meeting of the Public Works Committee is scheduled for January 4, 2010 at 3:30 p.m.

D. Finance

Chair Backus reported that the Finance Committee met this evening at 5:00 p.m. The Committee approved consent items including claims and payroll vouchers, Ordinance Nos. 6278 and 6285, and Resolution Nos. 4547, 4548, 4549, 4550, and 4552. The Committee also discussed Ordinance No. 6232 and utility rate adjustments. The next regular meeting of the Finance Committee is scheduled for January 4, 2010 at 5:00 p.m.

E. Community Center

Chair Wagner reported that a meeting of the Community Center Committee is scheduled for December 23, 2009 at 1:00 p.m.

F. Downtown Redevelopment

Chair Norman reported that the Downtown Redevelopment Committee met on December 8, 2009 at 4:00 p.m. The Committee discussed the Auburn Junction project and strongly advocates that developments south of City Hall blend with the downtown core. The next regular meeting of the Downtown Redevelopment Committee is scheduled for January 12, 2010 at 4:00 p.m.

IV. REPORTS

At this time the Mayor and City Council may report on significant items associated with their appointed positions on state, regional and local organizations.

A. From the Council

Deputy Mayor Singer reported that she attended a meeting with King County Councilmember Pete von Reichbauer, King County Health Director David Fleming, and representatives from the City of Federal Way. She also attended three DARE graduations, the final meeting of the Interstate 405/State Route 167 Corridor Advisory Committee regarding extending High Occupancy Toll (HOT) lanes from Puyallup to Lynnwood, and Valley Regional Fire Authority (VRFA) dedication of their new fire station on Kersey Way. She

also chaired the annual Lodging Tax Advisory Board budgetary meeting.

Councilmember Wagner reported on the Auburn Scientific Center for Emerging New Technologies (ASCENT) projects. He and Deputy Mayor Singer met with other organizations interested in project ASCENT and the potential of a green business incubator. The meeting included Attorney Jim Waldo, who specializes in water rights and is connected with the Tacoma Urban Water Center; Tacoma City Councilmember Jake Fay who is also connected with the Tacoma Urban Water Center; and WSU Vice President John Gardner. The meeting resulted in interest of coming together with two leading WSU scientists, Dr. Michael Wolcott and Dr. Joel Baker. Councilmember Wagner and Deputy Mayor Singer also met with Dr. Hasselbeck of WSU and representatives from Green River Community College in an effort to cooperate with regard to educating students in the sciences related to sustainability and new sustainability employment opportunities. He also attended a final presentation at Pullman by WSU architecture and engineering students on their designs for green friendly streets for the Auburn Environmental Park.

Councilmember Backus reported that she volunteered for a Cascade Elementary School field trip to City of Auburn Mary Olson Farm and reported on the outdoor classroom conducted for the students.

Councilmember Cerino commented on the honor of serving on the governance board of the VRFA. He expressed pride in serving on the VRFA Board and reported on the regionalization of fire services for the cities of Auburn, Pacific and Algona and the dedication of a new fire station.

Councilmember Pelosa reported that he attended the third Regional Reclaim Water Comprehensive Plan workshop at which they received a presentation on the framework for evaluating benefits and costs of water reclamation. He also attended the Airport Advisory Board meeting to discuss storm water conveyance, Airport Rules and Regulations, proposals received for repairing hangars nine and ten, and the Airport flood plan. Councilmember Pelosa invited interested citizens to apply for an open position on the Airport Advisory Board. Councilmember Pelosa also represented the Rotary Club in serving a holiday luncheon to senior citizens at the Auburn Senior Center. He also

attended the Lower Green Agriculture Subcommittee meeting with representatives from King County, City of Kent, King Conservation District, Agriculture Commission and Auburn staff members to discuss drainage problems in northwest Auburn.

B. From the Mayor

Mayor Lewis reported on the Santa Breakfast and serving senior citizens with Councilmember Cerino at the holiday luncheon at the Senior Center. Mayor Lewis reported that he attended his last meeting as president of Suburban Cities Association and reported on meetings with King County Executive Dow Constantine to discuss budgetary issues, plans to end services provided by King County Animal Control, flood control measures, and steps that must be taken by King County cities with regard to the King County budget deficit. He also met with Pierce County Executive Pat McCarthy on their budgetary issues which, though not as significant as those of King County, impact the cities of Pierce County. Mayor Lewis reported that Deputy Mayor Singer will replace him on the Puget Sound Regional Council (PSRC) Economic Development Board and he will serve on the PSRC Executive Board. Mayor Lewis reviewed numerous regional committees and boards with representation by Auburn Councilmembers.

V. CONSENT AGENDA

All matters listed on the Consent Agenda are considered by the City Council to be routine and will be enacted by one motion in the form listed.

A. Minutes

1. **Minutes of the December 7, 2009 regular City Council meeting.**

B. Vouchers

F4.9.2, F4.9.5

1. **Claims**

Claims check numbers 390975 through 391393 in the amount of \$3,140,456.51 and one wire transfer in the amount of \$461,304.62 and dated December 21, 2009.

2. **Payroll**

Payroll check numbers 527892 to 528014 in the amount of \$779,468.64 and electronic deposit transmissions in the amount of \$1,176,809.26 for a grand total of \$1,956,277.90

amount of \$1,176,809.26 for a grand total of \$1,956,277.90 for the pay period covering December 3, 2009 to December 16, 2009.

C. Contract Administration

1. Public Works Project Number CP0918

O4.9.1 CP0918

City Council approve Final Pay Estimate No. 3 to Small Works Contract 09-14 in the amount of \$0, for a total contract price of \$103,446.75, with Doolittle Construction, LLC and accept construction of Project No. CP0918, 2009 Arterial and Collector Crack Seal Project.

2. Public Works Project Number CP0910

O4.4.12

City Council approve Final Pay Estimate No. 2 to Small Works Contract 09-11 in the amount of \$26,713.85, for a total contract price of \$39,728.09, with Superior Asphalt and accept construction of Project No. CP0910, Justice Center Parking Lot Modifications.

Deputy Mayor Singer moved and Councilmember Wagner seconded to approve the consent agenda.

MOTION CARRIED. 6-1. Councilmember Haugen voted no.

VI. UNFINISHED BUSINESS

There was no unfinished business.

VII. NEW BUSINESS

There was no new business.

VIII. ORDINANCES AND RESOLUTIONS

A. Ordinances

1. Ordinance No. 6278

F3.22

An Ordinance of the City Council of the City of Auburn, Washington, amending Ordinance No. 6215, the 2009-2010 Biennial Budget Ordinance as amended by Ordinance No. 6226 and Ordinance No. 6246 authorizing amendment to

the City of Auburn 2009-2010 budget as set forth in Schedule "A"

Councilmember Backus moved and Councilmember Pelosa seconded to introduce and adopt Ordinance No. 6278.

MOTION CARRIED. 6-1. Councilmember Haugen voted no.

2. Ordinance No. 6279

F4.3

An Ordinance of the City Council of the City of Auburn, Washington, amending Sections 19.02.115, 19.02.120, 19.02.130 and 19.02.140 of the Auburn City Code relating to school impact fees

Councilmember Norman moved and Councilmember Backus seconded to introduce and adopt Ordinance No. 6279.

Councilmember Haugen spoke in opposition to Ordinance No. 6279.

MOTION CARRIED. 6-1. Councilmember Haugen voted no.

3. Ordinance No. 6282

F4.3

An Ordinance of the City Council of the City of Auburn, Washington, related to the Current Use Assessment Tax Program, extending and modifying Ordinance No. 6232 for Current Use Application criteria, appointing members to the Joint Determining Authority, and assessing application fees

Councilmember Norman moved and Councilmember Backus seconded to introduce and adopt Ordinance No. 6282.

MOTION CARRIED UNANIMOUSLY. 7-0.

4. Ordinance No. 6283

O4.11

An Ordinance of the City Council of the City of Auburn, Washington, amending Sections 12.04.010, 13.41.010,

13.48.010, 13.48.180, 13.48.210, and 13.48.225 of the Auburn City Code; creating a new Section 13.48.226 of the Auburn City Code; amending Sections 13.48.230 and 13.48.250 of the Auburn City Code; repealing Section 13.48.260 of the Auburn City Code; and amending Sections 13.48.290, 13.48.440, 15.74.030, and 15.74.050 of the Auburn City Code; all relating to adoption and implementation of a Surface Water Management Manual

Councilmember Wagner moved and Councilmember Cerino seconded to introduce and adopt Ordinance No. 6283.

MOTION CARRIED UNANIMOUSLY. 7-0.

5. Ordinance No. 6285

F3.22

An Ordinance of the City Council of the City of Auburn, Washington, amending Ordinance No. 6215, the 2009-2010 Biennial Budget Ordinance as amended by Ordinance No. 6226 and Ordinance No. 6246 and Ordinance No. 6278 authorizing amendment to the City of Auburn 2009-2010 budget as set forth in Schedule "A"

Councilmember Backus moved and Councilmember Pelozo seconded to introduce and adopt Ordinance No. 6285.

MOTION CARRIED. 6-1. Councilmember Haugen voted no.

B. Resolutions

1. Resolution No. 4547

O1.8

A Resolution of the City Council of the City of Auburn, Washington, supporting a secure, convenient medicine return program to reduce the public safety and environmental impacts of unwanted medicines

Councilmember Backus moved and Councilmember Pelozo seconded to adopt Resolution No. 4547.

Councilmember Pelozo spoke in favor of Resolution No. 4547.

MOTION CARRIED UNANIMOUSLY. 7-0.

2. Resolution No. 4548

A3.16.3

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor and the City Clerk to execute an Agreement for Services between the City of Auburn and the Auburn Area Chamber of Commerce to operate a Visitor Information Center, promote tourism awareness within the City and to provide services associated with supporting the City's economic development efforts

Councilmember Backus moved and Councilmember Peloza seconded to adopt Resolution No. 4548.

MOTION CARRIED. 6-1. Councilmember Haugen voted no.

3. Resolution No. 4549

A3.16.3

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor and City Clerk to execute an Agreement with Thompson Smitch Consulting Group, Inc. to assist the City to secure water rights from the Washington State Department of Ecology for the purposes of meeting the City's water needs

Councilmember Backus moved and Councilmember Peloza seconded to adopt Resolution No. 4549.

MOTION CARRIED. 6-1. Councilmember Haugen voted no.

4. Resolution No. 4550

A3.16.3

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor and City Clerk to execute a contract with Washington Advocates², LLC for consulting services

Councilmember Backus moved and Councilmember Peloza seconded to adopt Resolution No. 4550.

MOTION CARRIED UNANIMOUSLY. 7-0.

5. Resolution No. 4552

F4.3

A Resolution of the City Council of the City of Auburn, Washington, providing for amendment to the City of Auburn Fee Schedule, to adjust for 2010 fees

Councilmember Backus moved and Councilmember Pelosa seconded to adopt Resolution No. 4552.

MOTION CARRIED UNANIMOUSLY. 7-0.

IX. EXECUTIVE SESSION

At 8:34 p.m. Mayor Lewis recessed the meeting to executive session for approximately fifteen minutes to discuss potential or pending litigation pursuant to RCW 42.30.110(1)(i). Staff members required for the executive session were: City Attorney Heid, Human Resources and Risk/Property Management Director Heineman; Finance Director Coleman; Public Works Director Dowdy; and Acting Planning Director Snyder.

Mayor Lewis reconvened the regular meeting at 8:53 p.m.

X. ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 8:53 p.m.

APPROVED THE _____ DAY OF JANUARY 2010.

Peter B. Lewis, Mayor

Cathy Richardson, Deputy City Clerk

City Council agendas and minutes are available to the public at the City Clerk's Office, on the City website, and via e-mail. Complete agenda packets are available for review at the City Clerk's Office and at the Library.

Internet: <http://www.auburnwa.gov>